

**FILED**  
GREAT FALLS DIV.

2008 DEC 9 AM 10 12

PATRICK E. DUFFY, CLERK

BY \_\_\_\_\_  
DEPUTY CLERK

**CARL E. ROSTAD**  
Assistant U.S. Attorney  
U.S. Attorney's Office  
P.O. Box 3447  
Great Falls, MT 59403  
119 First Ave. North, #300  
Great Falls, MT 59401  
Phone: (406) 761-7715  
FAX: (406) 453-9973  
Email: Carl.Rostad@usdoj.gov

**ATTORNEY FOR PLAINTIFF  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

|   |   |
|---|---|
| <b>IN THE MATTER OF<br/>THE EXTRADITION OF:<br/><br/>RAGHVIR SINGH VIRK</b> | <b>MJ 08-52-GF-RKS<br/><br/><u>AFFIDAVIT OF WAIVER OF<br/>EXTRADITION</u></b> |
|---|---|

I, Raghvir Singh Virk, having been fully informed by my attorney, R. Henry Branom, Jr., of my rights under the extradition treaty in force between the United States and the Republic of India and Title 18, United States Code, § 3184 et seq., do hereby waive any and all such rights and ask the Court to expedite my return, in custody, to the Republic of India.

My attorney, with whose services I am satisfied, has explained to me the terms of the extradition treaty in force between the United States and the Republic of India, the applicable sections of Title 18, United States Code, and the complaint filed by the United States Attorney on behalf of the Government of India. I understand that, pursuant to Title 18, United States Code, Section 3184, I am entitled to a hearing at which certain facts would need to be established, including:

- that currently there is an extradition treaty in force between the United States and the Republic of India;
- that the treaty covers the offenses for which my extradition was requested;
- that I am the person whose extradition is sought by the Republic of India; and
- that probable cause exists to believe that I committed the offenses for which extradition was requested.

I concede that I am the individual against whom charges are pending in India and for whom process is outstanding there. I fully understand that in the absence of a waiver of my rights, I cannot be compelled to return to India unless and until a court in the United States issues a ruling certifying my extraditability and the Secretary of State of the United States orders my extradition by issuing a warrant of surrender.

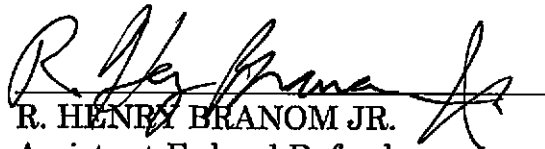
I have reviewed the complaint and I fully understand my right to a hearing at which my counsel and I could challenge the extradition request presented by the Government of India.

I hereby waive my rights under the extradition treaty and the applicable sections of Title 18, United States Code, and agree to be transported in custody, as soon as possible, to the Republic of India and to remain in custody pending the arrival of agents from the Republic of India. No representative, official, or officer of the United States or of the Government of India, nor any person whomsoever, has made any promise or offered any other form of inducement nor made any threat or exercised any form of intimidation against me. I execute this waiver of rights knowingly, voluntarily and entirely of my own free will and accord.

Dated this 9<sup>th</sup> day of December, 2008.



RAGHVIR SINGH VIRK



R. HENRY BRANOM JR.  
Assistant Federal Defender  
Attorney for Raghvir Singh Virk

I hereby certify that on this 9 day of December, 2008, Raghvir Singh Virk personally appeared before me and made his oath in due form of law that the statements herein are true.



KEITH STRONG  
U.S. Magistrate Judge  
U.S. District Court, District of Montana